

ALFREDA BRONCHO DENNY ET AL.,
Appellants

v.

PORTLAND AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Docketing Appeal and
: Affirming Decision
:
:
: Docket No. IBIA 98-66-A
:
:
: March 12, 1998

On March 3, 1998, the Board of Indian Appeals received a notice of appeal from Alfreda Broncho Denny, Helen Hatt, Betty Pahnemah, Lillian Pahnemah Kinegak, and Reid C. LaDeau, through their representative, Ernestine Broncho Werelus. 1/ Appellants seek review of a February 12, 1998, decision of the Portland Area Director, Bureau of Indian Affairs, concerning Fort Hall Lease No. 89-136.

In their October 28, 1997, appeal to the Area Director, Appellants Denny and Hatt sought review under 25 C.F.R. § 2.8 of the purported failure of the Superintendent, Fort Hall Agency, BIA, to conduct a rental review and make a rental adjustment in accordance with the lease terms. The Area Director found that the Superintendent had, in fact, made a timely rental adjustment, which had become effective on December 1, 1994. He therefore dismissed the appeal as moot.

On appeal to the Board, Appellants concede that the rental adjustment was made. However, they now complain about the manner in which it was made, as well as about the general manner in which the lease has been managed.

None of these complaints are relevant here. Appellants' only argument before the Area Director was that the rental adjustment had not been made. The Area Director found otherwise. Appellants concede that the Area Director's finding was correct.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is docketed, and the Area Director's decision is affirmed.

Anita Vogt
Administrative Judge

Kathryn A. Lynn
Chief Administrative Judge

1/ For purposes of this decision, the Board assumes that Ms. Werelus is qualified under 43 C.F.R. § 1.3 to represent these Appellants.

An earlier appeal filed by Appellants Denny and Hatt, also through Ms. Werelus, was dismissed as premature. 32 IBIA 26.